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file Portage Creek

TRADITIONAL CONSTITUTION AND BY-LAWS OF THE VILLAGE OF PORTAGE CREEK ALASKA

PREAMBLE

We, a group of residents of PORTAGE CREEK, ALASKA, having a common bond of residence, in order to promote our welfare through the development of governmental and economic enterprises, do establish this constitution and by-laws.

ARTICLE I. NAME

The name of the traditional council shall be Portage Creek Village Council.

ARTICLE II. DEFINITION OF TERRITORY

Portage Creek Village Council shall govern the territory of Portage Creek contained within the boundaries deeded by P.L. 92-203 as ammended.

ARTICLE III. MEMBERSHIP

Section 1. All persons whose names shall appear on the Alaska Native Roll of Portage Creek P.L. 92-203 as ammended, being all members of Portage Creek shall be members of this village.

Section 2.a. New members. All children of any member who is enrolled under P.L. 92-203 as ammended or of an adopted resident of Portage Creek shall be members of this village.

Section 2.b. Any person who becomes a resident of Portage Creek may be adopted by the village council by a majority vote in its regularly called meeting.

Section 3. Definition of Adult. Any person who is 18 years of age or older will be considered an adult.

ARTICLE IV. THE COUNCIL

Section 1. There shall be a council composed of five (5) members elected by the adult members of the village. The council from among itself shall elect a President, Vice President, and Secretary/Treasurer.

Section 2. The council shall represent the village and all its undertakings shall exercise the powers of the village enumerated in this constitution.

Section 3. The members of the village council shall ~~initially~~ be elected to ~~staggered terms as follows:~~ annually at the regular village meeting

A. Two (2) members to serve a one-year term.
B. Two (2) members to serve a two-year term.
C. One (1) member to serve a three-year term.

Section 4. In each year following the initial election, two members of the village council shall be elected to terms as follows:

A. One (1) member to serve a two-year term.
B. One (1) member to serve a three-year term.

ARTICLE V. POWERS OF THE COUNCIL

Section 1. To do all things for the common good which it has done or has had the right to do in the past and which are not against Federal and State laws as may apply.

Section 2. To deal with the Federal government and its agencies and the State government and its agencies on behalf of the village of Portage Creek and to deal with any person, firm, corporation or municipality on behalf of the community of Portage Creek.

Section 3. To provide for filling vacancies in office consistent with this constitution.

Section 4. To levy dues, fees and assessments for village purposes on members of the village and to provide for their collection and enforcement through its ordinances, for the good of the village. No such assessments shall be laid except by resolution of the council at any regularly called meeting.

Section 5. The council may have and use such other powers as may be given to it by the Federal or State government.

ARTICLE VI. CHANGE OF OFFICERS

Section 1. Any officer of the council or official of the village of Portage Creek who is convicted of a felony or any other offense involving dishonesty or moral turpitude shall forfeit his or her office.

Section 2. If the office of a council member is vacant for any reason, the council may appoint a successor to serve until the next regular meeting of the village at which time a member shall be elected to fill the unexpired term.

ARTICLE VII. AMMENDMENTS

Ammendment to this constitution and by-laws may be proposed by a resolution of the council or of the village at a regularly called meeting. Ammendments shall become effective when ratified by a simple majority vote from the adult residents eligible to vote and present at a regularly scheduled meeting provided that notification of any proposed ammendment or change was posted on the bulletin board outside of the village council building and in two other places in the village at least two days prior to the meeting.

ARTICLE VIII. DISSOLUTION

The constitution and by-laws shall continue in existence until dissolved by a majority vote of the adult members of this village present at a regularly scheduled council meeting provided that notice of the proposed dissolution is posted on the bulletin board outside of the village council building and in at least two other public places in the village at least two (2) days prior to the meeting.

CERTIFICATION OF ADOPTION

We, the undersigned adult residents of Portage Creek, having been chosen to be the election judges by the majority of adult residents, certify that we were present at an election called for the purpose of adopting this constitution and by-laws on October 13, 1982; that the foregoing was duly adopted at such an election by a vote of 11 for and 0 against, where at least 33 1/3 per cent of those entitled to vote cast their ballots.

Anuska Tilden
Chairperson, Election Board

Natalia Wassillieff
Chairperson, Election Member

BY-LAWS OF PORTAGE CREEK VILLAGE

ARTICLE I. DUTIES OF OFFICERS

Section 1. The President. The President of the Council shall preside over all meetings of the council and of the village, exercising the usual duties of chairperson and any other delegated to him. He or she may vote in council meetings only in the case of a tie. The President is charged with general responsibilities for the administration of the village and ordinances and resolutions.

Section 2. The Vice President. The duties of the Vice President in the absence of the President will be the same as those of the President. Also other duties assigned by President or village Council.

Section 3. The Secretary/Treasurer. The Secretary/Treasurer shall act as chairperson in the event that the President or Vice President is absent from the village of Portage Creek. He or she shall conduct all corresponsences and keep a complete and accurate record of all business transactions of the village or of the council. He or she shall record all rules and regulations and ordinances in appropriate books for the information and guidance of the village members.

He or she shall accept, receive receipt for, preserve and safeguard all funds for which the council is responsible. He or she shall make a faithful record of such funds and shall report to the council all receipts and expenditures and the amount and nature of all funds in his possession or for which he or she is responsible except upon authorization of the council. The secretary/treasurer may be required at the request of the council to give bond satisfactory to the council. He or she shall be responsible for certifying official council actions and documents as necessary.

Section 4. Appointive Officers. The duties of appointive officers, agents or committees appointed by the council shall be clearly defined by resolutions of the council at the time of appointment. No appointive officer shall serve for a term longer than three years.

Section 5. The Records. All accounts, records, books, and minutes of the village or council meetings shall be subject to examination by members of the village or the council or the agents of the Federal or State government having authorized business in Portage Creek..

ARTICLE II. QUALIFICATIONS OF OFFICERS

Section 1. No person may be a candidate for any elective office unless he or she has the qualification of a voter.

Section 2. No person who has been convicted of a felony may be a candidate for any elective office,

ARTICLE III. MEETINGS

Section 1. The council shall meet ~~on the first Saturday of the month at 10:00 A.M.~~ once a month unless otherwise ordered by the council and at such times as may be voted by the majority of the council of Portage Creek.

Section 2. The President or any other member of the council may call such other special meetings that he or she may deem necessary by giving two days notice to each of the members of the council.

Section 3. The Quorum. Three council members shall constitute a quorum for a council meeting and for general village meetings, one third of the adult residents of Portage Creek eligible to vote shall constitute a quorum.

Section 4. Minutes shall be kept of all regular and special meetings of the council and preserved in the appropriate files of the council.

ARTICLE IV. RIGHTS OF MEMBERS

Section 1. All members as spelled out in Article III, Membership of Constitution and By-Laws of the Portage Creek Village 18 years of age and older shall have the right to vote in Portage Creek village meetings and elections.

Section 2. Members of Portage Creek Village shall have the right to speak and meet freely in a peaceable way.

Section 3. Members of Portage Creek Village shall have equal chance to share in the benefits of Portage Creek Village.

ARTICLE V. RULE MAKING POWER

The Council shall have the power to make rules and regulations to carry out the provisions of the Constitution and By-Laws.

ARTICLE VI. ADOPTION

This constitution and bylaws shall be in effect when it is agreed to by a majority vote of the adult residents of Portage Creek voting in an election called for their purpose, provided that at least 33 1/3 per cent of those entitled to vote cast their ballots. The persons entitled to vote are all the adult residents of the village of Portage Creek, Alaska.

CERTIFICATION OF ADOPTION

We the undersigned adult residents of Portage Creek, having been chosen to be the election judges by the majority of the adult residents, certify that we were present at an election called for the purpose of adopting this Constitution and By-Laws on October 12, 1982; that the foregoing was duly adopted at such an election by a vote of 11 for and 0 against, where at least 33 1/3 per cent of those entitled to vote cast their ballots.

Anuska Tildesley
Chairperson, Election Board

Natalia Wassiliev
Chairperson, Election Member